

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PHILLIP CARR,

Petitioner,

20 CIVIL 7820 (CM)(OTW)

-against-

**JUDGMENT**

MICHAEL KIRKPATRICK,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated July 10, 2025, the Court adopts the Report & Recommendation and adopts the report as the opinion of the court. As the petitioner has not made a substantial showing of the denial of a constitutional right. I decline to issue a certificate of appealability, per 28 USC Sect. 2253. I certify that any appeal would not be taken in good faith; accordingly, the case is closed.

**Dated:** New York, New York  
July 11, 2025

**TAMMI M. HELLWIG**

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**Clerk of Court**

**BY:**



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**Deputy Clerk**